



SEXUAL HARASSMENT AND GENDER-BASED HARASSMENT IN THE WORKPLACE IN SPAIN

2021

EXECUTIVE OVERVIEW OF THE STUDY

The study “Sexual harassment and gender-based harassment in the workplace in Spain” has been promoted, financed and coordinated by the Government Delegation against Gender-based Violence, and carried out by the Trade Union Confederation of Workers' Commissions (CCOO).

Its **main objective** is to analyse sexual harassment and gender-based harassment in the workplace in depth, as practices of violence and discrimination against women that threaten their dignity, health and rights, which hinder their participation in the workplace and contribute on numerous occasions to expelling them from employment.

The study seeks to improve institutional response, in compliance with axis 2 of the State Pact on Gender-based Violence of 2017. Specifically, it promotes improving the protection of female workers, in the sense of measure 77 of the Pact Congress Report (no. 92 in the consolidated document of measures of the state pact on gender-based violence. Congress + Senate) which establishes the obligation to implement measures and protocols against sexual harassment or gender-based harassment in companies, an obligation already contained and expressed in article 48 of Organic Law 3/2007 for the effective equality of women and men.

To carry it out, quantitative research (questionnaire) **and qualitative research** (discussion groups) have been combined:

- On the one hand, an online survey has been carried out on 1,119 working women between 16 and 64 years old who have been victims of sexual harassment and/or gender-based harassment to analyse the perception of the affected women, the socio-labour vulnerability or risk factors, the behaviours that constituted the harassment experienced, if the affected woman required the support of the company and/or union representation and their response, as well as to know if the company had a protocol designed to resolve these situations, among other issues. It should be noted that 100% of the sample is made up of working women harassed at some point in their life. Due to the type of sampling conducted, the sample obtained is not statistically representative and the results cannot be extrapolated. In any case, **the analysis** that is carried out below **is important and necessary to give visibility to the reality of sexual harassment and gender-based harassment in Spain.**



- On the other hand, three discussion groups were held. The first two discussion groups included union delegates in companies from different sectors, one from small companies and the other from large companies, with the aim of comparing and drawing the relevant conclusions regarding the respective actions that are followed in the companies in cases of both forms of harassment, investigating good practices, developing guidelines and actions for union representation, and proposing measures applicable to all companies and all sectors. The third group was made up of professionals and specialists in assistance, advice and accompaniment to female victims of sexual harassment, gender-based harassment and gender-based violence, from different entities and fields of action (union legal offices, agents of equality, social workers, jurists, social and labour insertion techniques specialised in addressing victims of sexist violence, and experts in sexual harassment and gender-based harassment). A number of between 8 and 10 people from different Autonomous Communities participated in each of the groups.

The study is structured in the following sections :

- First, the conceptual framework is addressed, providing definitions of sexual harassment and gender-based harassment and their constitutive behaviours. This is followed by looking at international standards, especially European standards and Spanish regulations. This is followed by a review of the existing data in Europe and in Spain. Spanish jurisprudence on sexual harassment and gender-based harassment is also reviewed, as well as the performance of the labour inspectorate.
- Second, the treatment of sexual harassment and gender-based harassment in collective bargaining is studied, analysing its treatment in the equality agreements and plans published in the Official State Gazette (BOE) during the years 2018 and 2019.
- Third, the characteristics of women who suffer sexual harassment and gender-based harassment in the workplace, its perception and effects are analysed, based on the data obtained from the harassed women themselves in the survey carried out and from the information provided by union delegates, experts and professionals in the accompaniment of female victims through discussion groups.

The following is a brief summary of the **MAIN RESULTS**. The study with the detailed results can be downloaded from the website of the Government Delegation against Gender Violence.

1. What is sexual harassment and what is gender-based harassment

Organic Law 3/2007, of 22 March, for the effective equality of women and men defines sexual harassment and gender-based harassment as:



Sexual harassment: “Any behaviour, verbal or physical, of a sexual nature that has the purpose or produces the effect of undermining the dignity of a person, in particular when an intimidating, degrading or offensive environment is created” (art. 7.1).

Gender-based harassment: “Any behaviour carried out based on the sex of a person, with the purpose or effect of undermining their dignity and creating an intimidating, degrading or offensive environment” (art. 7.2).

Sexual harassment includes:

- 1) **Verbal behaviour:** offensive sexual jokes and comments about the worker's physical appearance or sexual condition. Obscene sexual comments, questions, descriptions, or comments about sexual fantasies, preferences, and abilities/capacities. Denigrating or obscene ways to address people, spreading rumours about people's sex lives, communications (phone calls, emails, etc.) of sexual content and an offensive nature. Behaviours that seek the humiliation of the worker due to their sexual condition. Invitations or pressure to make dates or sexual encounters. Invitations, requests or demands for sexual favours when they are related, directly or indirectly, to a professional career, the improvement of working conditions or the preservation of the job. Persistent invitations to participate in social or recreational activities, even if the person who is the object of the same has made it clear that they are unwanted and inappropriate.
- 2) **Non-verbal behaviours:** use of images, graphics, vignettes, photographs or drawings with sexually explicit or suggestive content. Obscene gestures, whistles, gestures or immodest looks. Sexually offensive letters, notes or emails. Behaviours that seek the humiliation of the worker due to their sexual condition.
- 3) **Behaviours of a physical nature:** deliberate and unsolicited physical contact (pinching, touching, unwanted massages, etc.) or excessive or unnecessary physical approach. Deliberately cornering or seeking to be alone with the person unnecessarily. Intentionally or “accidentally” touching the sexual organs.

Gender-based harassment includes: use of discriminatory conduct due to the fact of being a woman or a man. Jokes and comments about people taking on tasks that have traditionally been performed by people of the opposite sex. Use of degrading or offensive ways to address people of a certain sex. Use of sexist humour. Ridicule and despise the capacities, abilities and intellectual potential of women. Perform the aforementioned behaviours with lesbian, gay, transgender or bisexual people. Evaluate the work of people with contempt, in an unfair way or in a biased way, based on their sex or their sexual orientation or identity. Assign tasks or jobs below the person's professional capacity or competencies. Unfavourable treatment due to pregnancy or maternity. Explicit or implicit behaviours aimed at making restrictive or limiting decisions about the person's



access to employment or their continuity in it, professional training, remuneration or any other matter related to working conditions.

2. Extent and social perception of sexual harassment and gender-based harassment in the workplace

In the study on sexual harassment in the workplace, it is of interest to know the perception that society has about said harassment. This perception was studied in the **survey on Social Perception of Sexual Violence carried out by the Government Delegation against Gender-based Violence in 2018**¹, demonstrating that the majority show social rejection towards this type of action, but also that there is still a lot of awareness-raising work to be done.

On the one hand, a high percentage of the population disagrees with statements that women invent and/or promote sexual harassment in the workplace. For example:

- 89.7% of women and 83.9% of men express some degree of disagreement with the statement **“If a woman is sexually harassed in the workplace, she had to have done something to provoke it”**, thus rejecting sexual harassment.
- 84.5% of women and 80.1% of men disagree with the statement **“Women who wait weeks or months to report a situation of sexual harassment at work have probably made it up”**, thus rejecting sexual harassment.

When the statement is more indirect, and it speaks of exaggeration and not invention, the percentage of people who reject it is lower, especially among men:

- 74.5% of women and 63.3% of men disagree with the statement **“Women who say they have been sexually harassed at work usually exaggerate”**.

✓ **One in four men (25.8%) and slightly more than one in six women (17.7%) show some degree of agreement with the statement.**

On the other hand, regarding statements aimed at evaluating the belief that sexual harassment is nothing more than a romantic behaviour that arises naturally in men, and that women enjoy, according to the Survey of Social Perception of Violence Sexual:

¹ Regarding sexual harassment in the workplace, this survey analyses a series of statements the intention of which is to assess the tolerance among the population towards attitudes that can in some way justify sexual harassment. These statements come from the Illinois Sexual Harassment Myth Acceptance Scale (ISHMA).



- 72.7% of women and 61.0% of men express some degree of disagreement with the statement “Most women feel flattered when the men they work with fixate on them sexually”, thus rejecting hypothetical situations of sexual harassment.
- 82.4% of women and 74.1% of men express some degree of disagreement with the statement “The majority of women deep down enjoy when the men they work with make sexual advances to them”, thus rejecting sexual harassment.

Finally, this survey also evaluated **the belief that the responsibility for controlling sexual harassment falls on the harassed woman through the item “Almost all types of sexual harassment at work would end if the woman simply told the man to stop”**. This statement is, of all those used in the survey to measure sexual harassment, **that with which the highest percentage of the population shows some degree of agreement (37.0%)**. **This data is worrying due to its implications regarding tolerance of sexual harassment in the workplace**. Disaggregating the data by sex, 4 out of 10 men (40.9%) and 1 out of 3 women (33.4%) show some degree of agreement with the statement.

Regarding the prevalence of sexual harassment, the 2019 Macro-survey of Violence Against Women carried out by the Government Delegation against Gender-based Violence provides the most recent data on which to contextualise this study. According to the 2019 *Macro-survey*, of the total of women aged 16 or over residing in Spain, 40.4% have suffered sexual harassment at some point in their life, 18.1% have suffered sexual harassment in the last 4 years, and 10.2% have suffered this harassment in the last 12 months. Extrapolating these figures to the population, it is estimated that 8,240,537 women living in Spain aged 16 or over have suffered sexual harassment at some point in their lives, 3,703,252 have suffered sexual harassment in the last 4 years, and 2,071,764 have experienced this harassment in the last 12 months.

In the specific case of sexual harassment in the workplace, 17.3% of the total number of women who have suffered sexual harassment and who have answered the question about the sex of the aggressor pointed to someone from work (6.5% a boss or male supervisor, 12.5% another man from work, 0.3% a boss or supervisor, 0.9% another woman from work), which implies that **practically 1 in 5 women have been sexually harassed in the workplace**.

Regarding the prevalence of repeated harassment (or stalking) the 2019 *Macro-survey* reveals that 15.2% of Spanish women have suffered stalking at some point in their life. From the results it can be inferred that this type of harassment also finds one of its scenarios in the workplace: when female victims were asked about the type of bond they had with the aggressor, 4.1% pointed to their boss or supervisor, while 7.3% indicate that it was another person from work (man).

Once the problem has been contextualised with the surveys carried out by the Government Delegation against Gender-based Violence, we proceed to analyse the results of the survey carried



out by Workers' Commissions for the present study, the results of which allow us to listen to the experiences of the harassed women. The sociodemographic profile of the sample is as follows:

- By age group, 34.9% of the sample is between 26 and 35 years old, 31.5% less than 25 years old, 21.4% between 36 and 44 years old, 10.1% between 45 and 54 years and 2.1% over 55 years.
- By marital status, the responses of single women (53.4%) and married women or women living together as registered domestic partners (33.5%) predominate, with 1.2% being widows, 5.6% being separated women and 6.3% divorced.
- By sector (public, private), 67.7% work in the private sector and 32.3% in the public sector.
- By activity sector, 6.2% work in Agriculture, livestock and fishing, 23% in Industry, 1.7% in construction, 33.3% in Services, 3.6% in the Third Sector, and 32.3% in the Public Sector.
- Among women working in the private sector, 41.3% have a temporary contract and 58.7% a permanent contract.

3. On the factors likely to increase the risk of sexual harassment or gender-based harassment

Sexual harassment and gender-based harassment are manifestations of discrimination and violence against women which occur in societies where, despite formal equality, de facto structural inequalities between women and men still exist. They are not phenomena in which the gender of the people is not a relevant factor. In a systematic way, the harassing person is mostly a man and the harassed person, mostly a woman.

Although any working woman can suffer sexual harassment or gender-based harassment, previous studies have shown that there is a greater risk of suffering harassment among women who are in any of the following situations: if they are young, if they do not have a stable partner, if they work in highly masculinised environments or in which a markedly sexist group culture predominates, if they are in particularly precarious, informal or unstable work, social and economic situations, if they are migrants, etc.

4. On the profile of the harasser

As for the harassers, in the case of sexual harassment, mostly men, they can be hierarchical superiors, colleagues or clients, and they can belong to any social stratum, occupational level, age or professional category. The testimonies of the harassed women heard in the study indicate some characteristic to take into account, such as being a male with a set of strongly sexist beliefs and attitudes, linked to traditional hegemonic masculinity.

5. On conduct constituting sexual harassment

In relation to actions of a sexual nature or content received by the women interviewed for this study, the highest percentages correspond to **jokes of a sexist nature (83.1%), cat calls and sexual**



comments (74.8%), gestures or insinuating looks (73.3%), physical contact (67.0%) and requests and invitations of a sexual nature (30.9%).

Some testimonies are especially degrading and reveal a hidden reality that is not always identified as constituting sexual harassment:

"I have had comments about my ass and my weight (or lack thereof). And one of my bosses, who called me a "dangerous blonde" or "the blonde," told me that the boss who was mobbing me would treat me better if I performed oral sex on him. Always while laughing. But no less unpleasant as a result".

"Sexist comments... the reality is that they are widespread from any superior and many colleagues".

"It is so common for men to make macho comments such as "if only you weren't married...", or grab your waist when you walk by like it was no big deal, or take advantage of any situation to make a pun of a sexual nature, nobody is aware of the matter and everything is just for laughs".

The women in the sample indicate that these actions have been carried out mainly by hierarchical superiors (47.4%), by people in the same job category (32.4%) and by other people (9.2%) among whom they indicate relatives and friends of the boss (1.8%) and clients (1.5%). In 86.1% of the cases the aggressors were only men, in 0.8% only women and in 8.8% both men and women (4.4% did not answer this question).

Situations of sexual or gender-based harassment can also take place in work environments in which there is no direct employment relationship between the victim and the harasser. It is a situation that occurs between people outside the workplace but within the "labour sphere".

Customer service at the window or by telephone are places where harassment occurs by people who come requesting information They believe they have the right to treat you in a humiliating way.

In contrast, on many other occasions whoever carries out this type of action is directly related to the investigation process to be followed in the event of a complaint:

The higher the position of the person who is doing the harassment, the higher they have reached in the scale of their work, the more difficult it is to demonstrate. If the person who is doing the harassment is a superior colleague, an attempt is made to cover them up... that is, it is never clearly demonstrated that this could have been a situation of harassment, while if the person exercising the situation of harassment is between equals or a much lower category there is no problem.



... a person who was in a specific place in the hospital and made derogatory comments towards the women he had to treat and in turn also harassed the colleagues who work with him. As he was a person who had a very direct relationship with management, he was never penalised.

6. On conduct constituting gender-based harassment

8 out of 10 women surveyed (80.4%) report having felt discriminated against at work². The actions in which this discrimination is translated are diverse, registering a higher incidence the following: addressing women in an offensive way (61.1%), assigning tasks, competences or responsibilities below their professional category (32.4%), being cast aside in professional promotion (25.7%), problems accessing or continuing work (22.2%), and cast aside in training (15.4%). In addition, in the discussion groups, the incidence of **situations related to maternity** is pointed out, in the case of gender-based harassment.

7. On the actions and responses to the cases of both forms of harassment

This study has analysed the different actions and responses that occur in cases of sexual harassment and gender-based harassment, both regarding the worker herself and the different environments, be it the company, the legal representation of workers, institutions, labour inspectorates, etc., in order to **detect shortfalls in the care that should be given to the affected woman and provide solutions to correct those shortfall situations.**

A first step to take is to inform the company of the situation of harassment that she is going through. It is the responsibility of companies to guarantee the health and safety of workers, as well as the absence of discrimination and violence. And the company must activate an action protocol that protects the victim, while the case is being investigated. It must be remembered that **it is the obligation of all companies, regardless of their size, to have a protocol for sexual harassment and gender-based harassment which contains awareness, detection and prevention measures, as well as the corresponding investigation and sanctioning procedure. But the usual thing in companies is the ignorance and non-application of regulations in case of sexual harassment and gender-based harassment. Often companies do not recognise that cases exist or that they may occur.** Sometimes they look the other way, as one participant in the discussion group of union members expresses:

“Companies and company management do not want these kinds of problems and if they can hide them, all the better”

In the survey carried out for this study, **to the question regarding whether they had made the company aware of being victims of the different actions, 7 out of 10 answered no (72.4%).** Of

² It is necessary to remember that the entire sample is made up of women who are victims of sexual harassment or gender-based harassment.



those who have not informed the company, 61.9% have not done so for fear of reprisals. 76.6% did not turn to legal representation in request for help. Despite the seriousness of this type of behaviour, reporting about it continues to be low. The reason why reports are scarce is linked, essentially, to the lack of confidence of the workers that it will be successful and that it may become something that harms them even more. In addition, they give other reasons:

“fear that their colleagues will point the finger at them”

“due to shame”

“I received criticism from colleagues when I brought it to the attention of the company”.

“there are a number of impediments for a woman not to report in her work environment, she is afraid of being judged, she has a feeling of guilt, and can be judged by her colleagues”.

Fear of what can result from filing a complaint also plays a role.

“I was a victim, I filed a complaint and I lost my job”.

Sometimes, when the company takes measures due to the reported situations, these are not far removed from the situation of the women, having negative repercussions on them emotionally and at work.

“To this day I am still in the company where I had the worst harassment I have ever suffered. They believed me and invited him to retire. However, I never changed positions or got promoted again. The subject was never discussed again and many people do not believe it and/or blame me”.

51.6% of the women who answered the questionnaire did not know if other women had been victims of sexual harassment or gender-based harassment. This reflects the invisibility of these situations and experiences; they are not only hidden, they are not even shared with other people in the work environment. This lack of communication means that this type of experience remains inscribed in the history of women as a reality of the working world, inherent to the relations of domination that men impose on women, against which each woman individually has to learn to coexist and to face it.

Reality shows that it is very difficult to provide evidence of conduct that frequently occurs without witnesses, and this discourages many victims from taking appropriate legal action.

“The problem is that it is very difficult to demonstrate and in many cases they are innuendos, phrases out of context or uncomfortable situations in which you feel that there is a sexual interest even though a direct proposition is not explicitly made”.



On numerous occasions, it is reported only when time has passed. Because, even if one is aware of the harassment suffered, conditions are imposed that de facto limit women's ability to face a complaint in the company or union representation or to initiate a criminal process, for different reasons: feeling of guilt, lack of credibility, fear of losing their job, lack of support among their colleagues, lack of protocols for action in cases of sexual harassment and gender-based harassment in the company, fear of other forms of corporate retaliation, fear of being accused or frowned upon, the long duration of the entire criminal process, the fear of constantly reliving the situation with the consequent psychological suffering, etc. This is expressed by the union delegates and the experts of the discussion groups:

- *"When women go to report it, they don't believe them either. It's because you want to go up in the company, it's because whatever, because you want to get involved with him... Women also have a hard time reporting"*
- *"For fear of losing their job. Having financial means, that is essential. For fear of losing the job there, putting up with whatever they throw at her"*
- *"Out of fear of colleagues... going against someone who is popular and who gets along very well with everyone can mean that they isolate you. And she is isolated right now"*
- *"Because it could be that if I file a complaint or say that so-and-so has done such a thing to me, I'm going to be out of the job"*

Regarding the existence of measures aimed at preventing and eliminating harassment, as well as knowing if companies have protocols against such harassment, only 1 in 10 (9.1%) women have stated that in their company there were measures aimed at correcting these actions. In relation to the existence of action protocols for sexual harassment and/or gender-based harassment, the percentage increases: 17.2% state that they do exist in the company. Even so, the existence of a protocol does not represent a guarantee for women on many occasions.

Although the existence of the protocols is valued and considered important, it is not believed that they can be dissuasive by themselves and there is general agreement in the discussion groups regarding the need for training actions and, of course, prevention. This has in fact been one of the cross-cutting issues that have come to light in the discussion groups, in which its usefulness is pointed out both as a preventive measure to deter possible attacks and as a guarantee for women to know how to identify and name these behaviours as constituting both forms of harassment since, both from previous studies and from the usual action of unions, it is known that sometimes the affected workers themselves do not recognise themselves as victims of sexual harassment. It must be kept in mind that these are often normalised and socially tolerated behaviours.

- *"We do not end up reaching the staff, the work centres, to explain to them that this is verbal, physical, behavioural aggression, whatever it may be. When we get to explain that to people, to everyone, male and female, they will realise that what they are doing is not*



perceived by the other person as pleasant or nice, and the person who is suffering understands and begins to put words to things that they are feeling that, in principle, is discomfort, and that little by little gets diminished”.

“Most of the time because there is a very fine line and many times you do not know if you are being harassed or not, I mean, you have your partner on duty who maybe uses the typical macho joke on you, the tone-deaf joke, being crude and such, but clear: Would that be enough for me as a worker to file a complaint through a procedure of sexual harassment or gender-based harassment? Well, many times the women themselves are not certain about it”.

In addition, especially in the group of experts, greater involvement of the authorities and the labour inspectorate is called for:

“The protocols are very important, the laws are important but how they are applied is what differentiates us, they are necessary but we are not applying them properly”.

Once a case has occurred, be it sexual harassment or gender-based harassment, the effectiveness of the measures that are carried out seems to differ depending on the size of the companies. The delegates of small companies, as a result of their experience, report greater difficulties in dealing with these situations, for example, when safeguarding the right to privacy of the victim or implementing measures such as workplace transfers. Workplace transfers do seem more feasible in large companies, although criticism to this is often picked up in the sense that re-victimisation can occur when it is the harassed person who is transferred.

Finally, it should be noted that the group of experts addresses the issue of complexity and delay in legal proceedings when these situations are not resolved in the context of the companies. The inaccessibility of language is also mentioned. These are two factors that make it difficult for women who are victims of both types of harassment to report, especially in the case of the most vulnerable, such as undocumented migrants.

8. On the consequences or effects of sexual harassment and gender-based harassment in the workplace

Sexual harassment and gender-based harassment have important effects on the health of the employee who suffers it, but also on other areas. Many women affirm that this harassment has had an impact their lives, in some cases they have been forced to change cities, social environments, working sectors, etc. to be able to move on. Among the most common health effects in working women are: 1) disorders of psychological health such as anxiety, depression, nervous states, etc. and 2) physical health disorders such as those related to sleep, headaches, gastrointestinal problems, etc. All these consequences can end up having repercussions in the deterioration of the quality of life of the harassed person, both in the workplace and in their private life.



As a serious alteration of occupational health, the affected workers can benefit from sick leave. However, of the women surveyed who have suffered any of these situations of sexual or gender-based harassment, 9 out of 10 (87.8%) did not request any type of leave. Holding onto the job can have negative effects on the health of the affected women.

In addition to the effects on the health of the affected worker, the labour and economic effects are not to be discarded. There are women who have left their jobs or have been fired after reporting the harassment they suffered.

“I asked for voluntary dismissal because I could not take it anymore, I was a superior, he had all my colleagues against me, and when I went to request the dismissal, a person noticed and helped me by moving me from the centre. But I could never say anything, they were terrible years, there was no protocol”.

“The harasser was my own boss. He fired me”.

“I left, I lost my job in which I had a permanent position, because I didn't want to see these people again”.

9. Sexual harassment and gender-based harassment in collective bargaining (collective agreements and equality plans)

A total of 234 collective agreements published in the Official State Gazette (BOE) during the 2018-2019 period have been analysed, with company agreements being predominant in both years (76% in 2018 and 97% in 2019). This is a consequence of the prevalence that the 2012 labour reform gave to the company agreement over the sectoral agreement and which has contributed to weakening the legal representation of workers.

A first aspect that should be highlighted is the absence of definitions of sexual harassment and/or gender-based harassment in the agreements. In 2018, 71% did not have a definition of sexual harassment and 79% did not have a definition of gender-based harassment. **In 2019, only 4% of company agreements incorporate the definition of sexual harassment as stated in article 7.1 of the equality law. On the other hand, none of the 2019 sectoral agreements incorporate definitions of sexual harassment or gender-based harassment.** That is to say, these definitions are not reflected in any article or section of the agreement, including the protocol. This deficiency is an outstanding element due to its potential effect on the detection, reporting, prevention, protocolisation of actions in the company, protection of the integrity and rights of the harassed worker, and, on the other hand, due to its contribution to raising awareness including collective awareness.

Another aspect analysed has been the classification of sexual harassment and gender-based harassment as offences in the agreements: only 10% of the agreements reviewed classify sexual



harassment as a serious or very serious offence; in the case of gender-based harassment, this percentage is lower (3%).

The fact that the agreements do not include the protocols for sexual harassment and gender-based harassment does not imply that companies do not have them, since they may be attached to the equality plan or may have been negotiated at a different time. However, it is recommended to link the harassment protocol to the collective agreement, because the equality plan does not usually have the same dissemination, and is linked to a limited time period and with different frequency.

10. Reference to sexual harassment and gender-based harassment in the equality plans published in the Official State Gazette in the 2018-2019 period

This study has also analysed the content on sexual harassment and gender-based harassment of the 36 equality plans of state-level companies published in the Official State Gazette in the 2018-2019 period. In the first place, it is necessary to highlight the absence of references to said actions in 31% of the plans. This absence is still significant when the equality law, from its approval, expressly states that equality plans may contemplate, among other matters, the prevention of sexual harassment and gender-based harassment.

11. Recommendations and proposals for improvement for treatment and actions on sexual harassment and gender-based harassment

As has been shown in this study, both the prevention and detection and treatment of sexual harassment and gender-based harassment suffer from enormous deficiencies that require positive actions to be improved. This study is accompanied by a **'Union Guide to Action Against Sexual Harassment and Gender-based Harassment in the Workplace'** which delves into and details the possible improvements to be implemented, especially in collective agreements and equality plans.

Both the delegates of large and small companies, as well as the group of experts, state that in recent years there have been advances in terms of awareness and actions by companies. According to their perceptions, this improvement in both the detection of cases and their resolution would be the result of regulatory advances, which are assessed positively, but also union action and the evolution of society itself, two factors that would be forcing companies to get more involved. However, they also coincide in pointing out that awareness of these problems continues to be absolutely insufficient, denouncing that they are often very normalised situations and behaviours. That is why **awareness-raising and training actions** are so necessary both in society as a whole and within companies. These campaigns could not only contribute to prevention, but also to self-identification of what is happening to women victims. The practical aspect would also be important, guiding women on the procedures and actions to be carried out, promoting complaints and thus trying to break the circle of silence and normalisation that often surrounds these actions.